



# राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

शिमला, बोरवार, 19 जनवरी, 2006/29 पौष, 1927

हिमाचल प्रदेश सरकार

OFFICE OF THE SECRETARY NAGAR PANCHAYAT GHUMARWIN

NOTIFICATION

*Ghumarwin, 18th August, 2005*

**No. 998-000/GMC.**—The following Building Bye-laws made by the Nagar Panchayat Ghumarwin in exercise of the powers conferred by section 204 of the Himachal Pradesh Municipal Act, 1994 (Act No. 13 of 1994) having been previously published and approved by the State Government as required under section 217 (1) of the aforesaid Act, are hereby published for General information and shall come into force within the limits of Nagar Panchayat Ghumarwin from the date of publication of this notification in the Rajpatra, Himachal Pradesh (Extra Ordinary).

Sd/-

Secretary,  
Nagar Panchayat Ghumarwin.

**DRAFT BUILDING BYELAWS OF NAGAR PANCHAYAT GHUMARWIN****PART-I—ADMINISTRATION**

1. *Short Title and Commencement.*—1.1 These bye-laws may be called the Nagar Panchayat Ghumarwin Building Bye Laws, 2005.

1.2 They shall come into force from the date of publication in the Rajpatra Himachal Pradesh.

2. *Definitions.*—2.01 In these bye-laws, unless the context otherwise requires: —

1. "Act" means the Himachal Pradesh Municipal Act, 1994 (13 of 1994) ;
2. "addition to the building" means addition to the cubic contents or to the floor area of building ;
3. "alteration" means a change from one occupancy to another or a structural change such as an addition to the area or height, or the removal of part of a building, or any change to the structure, such as the column, beam, joist floor or other support, or a change to or closing of any required means of ingress or egress or a change to the fixtures or equipment ;
4. "applicant" means and includes a person who gives notice to the Nagar Panchayat of his intention to erect or re-erect a building on a plot of land of which he/she is a owner and shall include his authorised representatives ;
5. "assembly building" means and shall include any building or part of a building where group of people congregate or gather for amusement, recreation, social, religious, patriotic, civil, travel and similar purposes, for example theaters, motion picture houses, assembly halls, auditoria exhibition halls museums, gymnasium, restaurants, places of worship, dance halls, club rooms, passenger, stations, and other public transportation services, recreation piers and stadia ;
6. "balcony" means horizontal cantilevered or projection including a handrail, balustrade to serve as passage or sitting out place ;
7. "basement storey" means the storey which is next below the ground storey or which is in any part for more than half of its height below the main level of the street or ground adjoining the principal entrance to the building ;
8. "building height" means the vertical distance measured from the plinth level to ridge level of the roof, Architectural feature serving no other function except that of decoration shall be excluded for the purpose of taking height ;
9. "building line" means the line upto which the plinth of a building adjoining a street or extension of a street or on a future street may be law fully extended and include the lines prescribed if any in any scheme ;
10. "business building" means and shall include any building or part of a building which is used for transaction of business, for the keeping of accounts and records for similar purposes, doctors, service facilities, barber shops, beauty parlour, city halls, town halls court houses, libraries shall be classified in this group in so far as principal function of these is transaction of public business and the keeping of books and records ;
11. "ceiling height" means vertical distance between the floor and the ceiling ;
12. "chajja/weather shed" means a continuous sloping or horizontal over hanging over the open space not exceeding 45 cm in width ;
13. "Chimney" means the construction by means of which a flue is formed for the purpose of carrying the products of combustion from a heat producing appliance to the open air, Chimney includes chimney stack and the flue pipe ;

14. "courtyard" means space permanently open to the sky, enclosed fully or partially by building and may be at ground level or any other level within or adjacent to a building;
15. "covered area" means the ground area covered immediately above the plinth level covered by the building but does not include the space covered by ;
  - (a) garden, rockery, plant, nursery, waterpool, swimming pool (if uncovered), platform round a tree, tank, fountain, bench and the like ;
  - (b) drainage culvert, conduit, catch-pit, gully pit, chamber, gutter and the like ;
  - (c) Courtyard, compound wall, gate, slide swing canopy porch areas covered by chhajja, watchman hut or alike projections and steps of natural profile which are uncovered and open to sky; and
  - (d) approach bridge (covered/uncovered) from public street, path and road to the building at any floor level.
16. "damp proof course" means a course consisting of some appropriate water proofing material provided to prevent penetration or dampness or moisture from any part of the structure to any other part at a height of not less than 15 cm above the surface of the adjoining ground ;
17. "drainage" means the removal of any liquid by a system constructed for the purpose ;
18. "dry area" means the space between the hill slope and building which is properly protected by breast wall/retaining wall and is open to sky to facilitate free circulation of air and light and prevent the building from dampness ;
19. "educational building" means and shall include any building used for school, college or daycare purposes involving assembly for instruction, education or recreation and shall also include crèche (s) ;
20. "existing building or its use" means a building structure or its use as sanctioned approved/regularised by the Nagar Panchayat existing before the commencement of these bye-laws ;
21. "external wall" means an outer wall of a building not being a partition wall even though adjoining to wall of another building and also means a wall abutting to an interior open space of any building ;
22. "fire resisting material" means material which has certain degree of fire resistance ;
23. "floor" means the lower surface in a storey on which one normally walks in a building ;

*Note.*—The sequential numbering of floor from the major street shall be determined by its relation to the determining entrance level. From the major street for floors at or wholly above ground level the lowest floor in the building with direct entrance from the road/street shall be termed as ground floor. The other floors above ground floor shall be numbered in sequence as floor-1, floor-2 etc. with number increasing upwards ;

24. "floor area ration (FAR)" means the quotient obtained by dividing the total covered area on all floors by the area of the plot, i. e. :

$$\text{FAR} = \frac{\text{TOTAL COVERED AREA OF ALL FLOOR}}{\text{PLOT AREA}}$$

*Note.*—For the purpose of this part covered area equals the plot area minus the area due or open spaces in the plot.

25. "flue" means a confined space provided for the conveyance to the outer air of any product of combustion resulting from the operation of any heat producing appliance or equipment employing solid, liquid gaseous fuel ;
26. "footing" means a foundation unit, constructed in brick work, masonry or concrete under base of a wall or column for the purpose of distributing the load over large area ;
- 26-A. "from" means a form appended to these bye-laws ;
27. "foundation" means that part of the structure which is in direct contact with and transmitting load to the ground ;
28. "front" in relation to a building means generally the portion facing the major street from which it may or may not have any access ;
29. "private garage" means building or out-hosuse designed or used for the storage of private owned motor driven or other vehicles ;
30. "habitable room" means room occupied or designed for occupancy by one or more persons for study, loving sleeping, eating, Kitchen if it is used for living room but including bathrooms, water closer compartments, laundries serving an storage pantries, corridors, cellars, attics and spaces that are not used frequently ;
31. "hazardous building" means and shall include any building or part of a building which is used for the storage, handling manufacture or processing of highly combustible or explosive materials or products which are liable to burn with extreme rapidity and or which may produce poisonous fumes or explosions for storage, handling manufacturing or processing which involve highly corrosive, toxic or noxious alkalies, acids or other liquids or chemicals producing flames, fumes and explosive, mixtures of dust or which result in the divisions of matter into fine particles subject to spontaneos ignition ;
32. "industrial buildings" means and shall include any building or part of a building or structure, in which products or material of all kinds and properties are fabricated, assembled or processed, refineries, gas plants, mills, dairies factories etc. ;
33. "institutional buildings" means and shall include any building or part thereof which is used for the purpose such as medical or other treatment or care of persons suffering from physical or mental illness disease or infirmity, care of infants, convalescents or aged persons and for penal or correctional detention in which the liberty of the inmates is restricted, hospitals, sanatoria, custodial institutions and penal institutions like jails, prisons, mental hospital and reformatories ;
34. "Registered Li censed Architect/Engineers/Plumbers" means a qualified Architect, Engineer, Plumber, who has been enrolled/licensed by the Nagar Panchayat or any other officer authorised under the provisions of the Act ;
35. "masonry" means an assemblage of masonry units properly bounded together with mortar ;
36. "mumty or stair cover" means a structure with covering roof over a staircase and its landing built to enclose only the stairs for the purpose of providing protection from whether and not used for human habitation ;
37. "mezzanine floor" means an intermediate floor between two floors level above ground floor and at least one side of it should form an integral part of space/ floor below and shall form a part of F. A. R. ;

38. "occupancy or use groups" means the principal occupancy for which a building or a part of a building is used or intended to be used, for the purpose of classification of a building according to the occupancy. An occupancy shall be deemed to include subsidiary occupancies which are contingent upon it ;
39. "open space" means an area, forming an integral part of the site, left open to the sky ;
40. "parapet" means a low wall or railing built along the edge of a roof for a floor ;
41. "parking space" means an area enclosed or unenclosed, covered or open, sufficient in size to park vehicles, together with a drive way connecting the parking space with a street or alley and permitting ingress and egress of the vehicles ;
42. "partition" means an interior non-load bearing wall, one storey or part storey in height ;
43. "plinth" means the portion of a structure between the surface of the surrounding ground and surface of the floor, immediately above the ground ;
44. "plinth area" means the built up covered area measured at the floor level of the basement or of any storey ;
45. "plot" means a piece of land enclosed by definite boundaries ;
46. "porch" means covered surface supported on pillars or other wise for the purpose pedestrian or vehicular approach to a building ;
47. "residential building" means and shall include any building in which sleeping accommodation is provided for normal residential purposes with or without cooking or dining or both facilities. It includes one or two or multi-family dwellings, lodging or rooming houses, dormitories, apartment houses and flats and hostels ;
48. "room height" means the vertical distance measured from the finish floor surface to the finished ceiling ;
49. "row housing" means a row of houses with only front, rear and interior open space
50. "site office" means a room(s)/shed constructed temporarily on the plot or the site of construction that may be permitted by the Nagar Panchayat for a limited period during the construction of the building ;
51. "site or plot" means a parcel/piece of land enclosed by definite boundaries ;
52. "storage" means a space where goods of any kind or nature are stored ;
53. "storage building/godown" means and shall include any building or part of a building used primarily for the storage or sheltering of goods, wares or merchandise like warehouses, cold storage, freight depot, transit shed, store houses, garages, hangers, truck terminals, grain elevators, barns and stables ;
54. "Store room" means a room used as storage space ;
55. "Storey" means the portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above, it then the space between any floor and the ceiling next above it ;
56. "Street" shall mean any road, foot way, square, court, alley, gully or passage, accessible whether permanently or temporarily, to the public and whether a thorough-fare or not, and shall include every vacant space not with standing that it may be private property and partly or wholly constructed by any gate post chain or other barrier, if houses shops or other buildings but thereon, and if it is used by any person as means of access to or from any public place or thorough fare, whether such persons are occupiers of such buildings or not, but shall include any part of such space which the occupier of any such building has right at all hours to prevent all other persons from using as aforesaid and shall include also the drains or gutters therein, or on either side or the land, whether

covered or not by any one either side or the land, whether covered or not by any pavement, varandha or other erection, upto the boundary of any abutting property, not accessible to the public ;

57. "to abut" means to be positioned just opposed to a road, lane, open space building etc ;
58. "terrace" means the open space at roof level or at any floor level ;
59. "water closet (WC)" means a privy with arrangement for flushing the Pan with water ; and
60. "window" means an opening to the outside other than a door which provides all or of the required natural light or ventilation or both to an interior space and not used as a means of egress/ingress.

2.02 All other words and expression used herein but not defined in these bye-laws shall have the same meanings or sense respectively as assigned to them in the act.

2.03 All mandatory Zonal Plan regulations regarding use, coverage, set backs, open space, height, number of storeys, parking standards etc. for various categories of building including modification thereon made from time to time shall be applicable *mutatis mutandis* in the building regulations under these bye-laws. All amendments/ modifications made in those regulations will automatically be included as part of these bye-laws.

3. *Applicability of bye laws.*—3.1 Subject to the provision of this Act these building Bye-Laws shall apply to the building regulation activity in area under the jurisdiction of Nagar Panchayat Ghumarwin as under :—

- (a) where a building is erected, the bye-laws shall apply to the design and construction of the building ;
- (b) where the whole or any part of the building is removed, the bye-laws shall apply to all parts of the building whether removed or not ;
- (c) Where the whole or any part of the building is demolished, the bye -laws apply to any remaining part and to the work involved in demolition ;
- (d) Where a building is altered the bye-laws shall apply to the whole building whether existing or new except that the bye-laws apply to whole building or part, if that part is completely self contained with respect to facilities and safety measures required by the bye-laws ; and
- (e) Where the occupancy of a building is changed, the bye-laws shall apply to all parts of the building affected by the change.

3.2 *Existing Approved Building.*—Nothing in these Bye-Law shall require the removal, alteration or abandonment, nor prevent continuance of the use or occupancy of an existing approved building, unless in the opinion of the Nagar Panchayat such building constitutes a hazard to the safety of the adjacent property or the occupants of the building itself.

4. *Interpretation.*—In these bye-laws, the use of present tense include the future tense, the masculine gender includes the feminine and neuter, the singular number include the plural and the plural include the singular. The Word "Person" includes Nagar Panchayat as an individual, writing includes printing and 'typing' and 'signature' includes thumb impression made by a person who cannot write if his name is written near to such thumb impression.

5. *Building sanction required.*—No person shall erect, re-erect or make alteration or demolish any building or cause the same to be done without first obtaining a separate sanction for each such building from the Nagar Panchayat.



6. *Pre-Code Building Sanction.*—If any building, sanction for which has been issued before the commencement of these bye-laws, if not wholly, completed with a period of two years, from the date of such sanction, the said sanction shall be deemed to have lapsed and fresh sanction shall be necessary to proceed further with the remaining work.

## PART—II

### 7. Procedure for obtaining building sanction.

7.1 *Notice.*—7.1.1 Every person who intends to erect, re-erect a building or execution any of the works specified in section 203 and 204 of the Act, shall give a notice in writing to the Nagar Panchayat in form-1 and such notices shall accompany with building plans in 3 copies. The plans may be ordinary prints on ferro paper, one of them shall be on tracing cloth. The following other documents shall also be attached alongwith notice :—

- (a) Sale-deed/lease deed, tatima, jamabandi and demarcation report etc. duly accompanied by an annexed site plan giving the physical description of the plot/property. In such cases where lease deed has not been executed on objection certificate from the lessor shall be submitted ;
- (b) no objection certificate from the Town and Country Planning Department regarding land use as per Interim Development Programme/Zonal plan, wherever required ;
- (c) approval from the Chief Inspector of Factories in case of Industrial Buildings ;
- (d) approval from Chief Controller of Explosive, Nagpur and Divisional fire Officer (H. P.) in case of hazardous buildings ;
- (e) structural design duly prepared and signed by registered qualified structural Engineer in Form -2.
- (f) at least two photographs of proposed site from different angles.
- (g) Affidavit from applicant, in case of joint land.

7.1.2 The applicant who intends to erect building shall fix the boundary pillars at site before giving the notice for such erection.

7.2. *Key Plan and approval of Site-A* Key plan drawn to a scale of not less than 1:1,000 shall be submitted alongwith notice, showing boundary location of the site with respect of neighbourhood landmarks.

7.3 *Site Plan.*—The site plan sent with the notice under bye-law 7.1.1 shall be drawn to a scale of not less than 1:2000 and shall show :—

- (a) the boundaries of the site and of any contiguous land belonging to the owner thereof ;
- (b) the position of the site in relation to neighbouring street ;
- (c) the name of the street in which the building is proposed to be situated, if any ;
- (d) all existing building standing on, over or under the site ;
- (e) the position of the building and of all other buildings (if any) which the applicant intends to erect upon his contiguous land referred to in a (a) in relation to :—
  - (i) the boundaries of the site and in case where the site has been partitioned, the boundaries of the portion owned by the applicant(s) and also the portions owned by other ;

- (ii) all adjacent streets, building (with number of storeys and height) and premises within a distance of 12 m of the site and of the contiguous land (if any) referred to in (a) ; and
- (iii) if there is no street within a distance of 12 m of the site, the nearest existing street :
- (f) the means of access from the street to the building, and to all other buildings (if any) which the applicant intends to erect upon his contiguous land referred to in (a) ; and
- (g) space to be left about the building to secure a free circulation of air, admission of light and access for scavenging purposes ;
- (h) the width of the street (if any) in front and of the street (if any) at the side or rear of the building ;
- (i) the direction of north point relative to the plan of the building ;
- (j) any existing physical features such as nallah drains, trees monuments/land marks etc ;
- (k) the ground area of the whole property and the break up of covered area on each floor with the calculations for percentage covered in terms of the total area of the plot as required under the bye-laws governing the coverage of the area ;
- (l) parking plans indicating the parking space for all buildings except for individual residential building ;
- (m) the proposed building shall be fixed with permanent features ;
- (n) disposal of waste water/rain water ;
- (o) drain to be connected with Nagar Panchayat, nallah/drain ; and
- (p) any other document/information as may be considered essential by the applicant.

**7.4 Building Plan.**—The plans of the building and elevations and sections accompanying the notice shall be drawn to a scale of 1:1000. The plan shall :—

- (a) include floor plans of all floors together with the covered area clearly indicating the size and spacing of all framing members and sizes of rooms and the position and width of staircases, ramps and other existing way, lift wells, lift machine room and lift pit details ;
- (b) show the use or occupancy of all parts of the buildings ;
- (c) show exact location of essential services, for example, water closet sink, bath water storage tanks and the likes ;
- (d) include sectional drawings clearly the sizes of the footings thickness of basement, wall, construction, size and spacing of framing members, floor slabs and roof slabs with their materials, the section shall indicate the heights of building and rooms and also the height of parapet and the drainage and the slope of the roof. At least one section should be taken through the staircase kitchen and toilet, bath and water closet ;



- (e) show front, side and rear elevations and all the elevations if the building is open from all the sides ;
- (f) indicate details of service privy, if any ;
- (g) give dimensions of the projected portions beyond the permissible building line ;
- (h) include roof plan indicating the drainage and the slope of the roof ;
- (i) give indications of the north point relative to the plan ;
- (j) details of parking space in provided ;
- (k) give indication of all doors, windows and other openings including ventilators with sizes in proper schedule form ;
- (l) such other particulars as may be required to explain the proposal clearly and as prescribed by the "Nagar Panchayat" ;
- (m) contour plan of the site ;
- (n) level of each floor with respect to road/paths/street ; and
- (o) total height of the building.

**Note.**—The drawings comprising of all the requirements from (a) to (o) should be prepare and signed by registered Engineer.

**7.5 Service Plan.**—Plans, elevations and sections of private water supply sewerage, disposal system and details of buildings, services, where required by the Nagar Panchayat shall be made available on a scale not less than 1:100

**7.6 Specification.**—General specifications of the proposed construction giving type and grade of material of public use in Form -3 duly signed by the registered Engineer may be shown accompanying the notice. In addition to this, the specifications be written on one side of the plan being submitted for sanction.

**7.7 Dimensions.**—All dimensions, shall be indicated in metric units

**7.8 Colouring of plan**

(a) colouring Notations for plans: The plan shall be coloured as specified in Table 1. Further, prints of plans shall be on one side of paper only.

TABLE—1

Sl. No. References	Colour
1. Proposed Work	Red
2. Existing Work	Green
3. Boundary	Yellow
4. Road/Path	Black
5. Drain	Blue
6. Sewerage	Brown
7. Work proposed to be demolished	Orange

7.9 *Supervision.*—Notice shall be further accompanied by a certificate of supervision in Form-4 and Form-5 duly signed by the owner and Engineer registered with Nagar Panchayat Ghumarwin and shall indicate their names and address and registration number.

7.10 *Signing the plans.*—All the plans shall be duly signed by the owner and Engineer registered with Nagar Panchayat Ghumarwin and shall indicate their names and address and registration number.

7.11 It shall be obligatory on the part of the owner to provide proper path/street giving access to the plots into which the land may be divided. The path/streets shall be so provided that it shall connect with a regular public or private street. Such path/streets shall be properly demarcated and paved with such other features as may be necessary for the safety of the users.

7.12 The owner of the land, while dealing with the land for selling, making plots or otherwise, as mentioned in bye-law 7.11, shall send to the Nagar Panchayat written application, with a layout plan showing the following particulars :—

- (a) the plots into which the land is proposed to be divided for the erection of building thereon and the purpose or purposes for which such buildings are to be used;
- (b) the reservation or allotment of any site for any street, open space park, recreation ground school markets or any other public purpose ;
- (c) the intended level direction and width of street or streets ;
- (d) the regular line of street or streets; and
- (e) the arrangement to be made for leveling, paving metalling, flagging, channeling, sewerage, draining, conserving and lighting street or streets.

8. *Notice for alteration only.*—When the notice is only for an alteration of the building only, such plans and statement as may be necessary, shall accompany the notice.

8.1 No Notice and building sanction is necessary for the following alterations, which do not otherwise violate any provisions regarding general building requirements, structural stability and fire safety requirements of these bye-laws :—

- (a) plastering and patch repairs ;
- (b) replacement of roofing sheets ;
- (c) re-flooring and repair of flooring ;
- (d) opening & closing windows, ventilators and doors not opening towards other's property ;
- (e) construction or re-construction of sun-shade not more than 45 cm in width within one's own land and not overhanging over other persons land or property public street/drain ;
- (f) construction or reconstruction of parapet not exceeding 1 metre in height and also construction or re-construction of boundary walls as permissible under these bye-laws but not exceeding 1.5 metre ;
- (g) white washing, painting etc. including erection of false ceiling in any floor at the permissible clear height provided the false ceiling in no way can be put to use as a loft messanine floor or independent floor and does not result in lowering the height of ceiling to less than the required minimum height;
- (h) erection or re-erection of internal partition shall be allowed provided the same are within the purview of these bye-laws; and
- (i) shifting/relocating water tanks or main gate within one's own compound.

9. *Grant of Sanction or Refusal.*—9.1. The Nagar Panchayat may either sanction or refuse the plans and specifications or may sanction them with such modifications or directions as it may deem necessary and there upon shall communicate his decision to the person giving the notice. If within 60 days of the receipt of notice under 7.1 of bye-laws, the Nagar Panchayat fails to intimate in writing to the person, who has given the notice of its refusal or sanction or any intimation, the notice with its plans and statements shall be deemed to have been sanctioned provided the fact is immediately brought to the notice of the Nagar Panchayat within fifteen days of giving such written notice. Subject to the conditions mentioned in these bye-laws, nothing shall be construed to authorise any person to do anything in contravention or against the terms of lease or titles of the land or against any other regulations, bye-laws or ordinance operating on the site of the work.

9.2. Once the plans has been scrutinised and objections have been pointed out, the owner giving notice shall modify the plan to comply with the objections raised and re-submit it. The Nagar Panchayat shall scrutinise the re-submitted plan and if there are further objections, the same shall be intimated to the applicant for compliance after which plans shall be sanctioned.

10. *Duration of Sanction.*—The Sanction once accepted, shall remain valid for two years from the date of sanction. The building sanction shall have to be got revalidated.

11. *Revalidation of Plans.*—Revalidation of plans after the expiry of validity period shall be subject to the following conditions :—

- (a) Where work is in progress and there are no deviation, the case may be considered for extension of time;
- (b) for cases where there are deviations, the cases may be considered on merits after imposing the composition fee as per general guide lines.

12. *Revocation of Sanction.*—The Nagar Panchayat may revoke any building sanction issued under the provisions of these bye-laws, wherever there has been any false statement suppression or any misrepresentation of material facts in the application on which the building sanction was based or if there is a gross deviation during the progress of construction from the sanctioned plan.

13. *Valid Notice.*—Notice containing complete information as required in bye-laws No. 7.1.1 and 7.1.2 shall be considered as valid notice.

14. *Qualifications of Registered Technical Personnel for Preparation of Schemes for Building Sanction and Supervision.*—The qualification of the technical personnel and their competence to carry different jobs for buildings sanction and supervision for the purpose of registration by the Nagar Panchayat or any other officer authorised by it and the registration shall be valid for one calendar year ending 31st December after which it shall be renewed annually, as follow :—

- (a) *Engineer.*—Qualification.—The Engineer shall hold such qualifications for the purpose or registration as are given in sub-section (3) of section 203 of the Act.

*Competence.*—The registered Engineer is competent to carry out the work related to Building sanction as given below and shall be entitled to submit:

- (i) all plans and related information connected with building sanction;
- (ii) structural details and calculations for all buildings;
- (iii) certificate of supervision for all buildings;
- (iv) sanitary water supply works for all type of buildings;
- (v) all layout plans;

- (b) *Plumber*.—Plumber shall be licensed by the Nagar Panchayat through an examination of the candidate having the following minimum qualification.

*Qualifications :*

- (i) knowledge of Hindi ;
- (ii) working knowledge of drawing and sketches ;
- (iii) certificate of training from I. T. I. for the trade with minimum two years experience of execution of sanitary and Plumbing works under any Government Department/Local Bodies or licensed Architect/Engineer.

OR

sound practical knowledge or experience of sanitary and plumbing works under any Government Department/Local Bodies or licensed Architect for a period of five years.

*Competence*.—A licensed plumber shall be competent to do the following jobs independently.

- (a) submission of sanitary plans upto 2 storey building ;
- (b) execution of sanitary works of 2 storey building ; and
- (c) execution of sanitary works of all kinds of buildings under the supervision of licensed Engineer.

15. *Procedure during construction work*.—15.1 Neither the granting of the sanction nor the approval of the drawings and specifications nor inspection made by the Secretary or any other Official of Nagar Panchayat during erection of the building shall in any way relieve the owner of such building from full responsibility for carrying out the work in accordance with the requirements of these bye-laws.

*Notice for commencement of work*.—15.2 Before the commencement of the building work at site for which building sanction has been granted, the owner, within a period of maximum one year from the date of sanction, shall give notice to the Secretary of the intention to start the work at the building site in the proforma given in Form-6. The owner shall commence the work within seven days from the date of such notice.

*Document at site*.—15.3 The person to whom a sanction is granted shall during construction make readily available for inspection a copy of the approved drawings and specifications.

16. *Notice of completion*.—Every owner shall have to submit a notice of completion of the building to the Secretary regarding completion of the work described in the building sanction. The notice of completion shall be submitted by the owner as per proforma given in Form-7.8 and 9 accompanied by one copy of completion plan in tracing cloth and ferro prints with fee of rupees 50/- and the following documents:—

- (a) copy of sale deed, lease deed, latest tatima, jamabandi etc. in case of change of ownership ;
- (b) two photographs showing front and side elevation of the completed structures ;
- (c) tax clearance certificate from Nagar Panchayat ;

A committee consisting of Municipal Engineer, Junior Engineer and Sanitary Supervisor headed by the Secretary shall inspect the site before according the sanction of the completion plan.

17. *Deviation during construction*.—If during the construction of a building any substantial departure from the sanctioned plan is intended to be made by way of internal alterations or external additions, sanction from the Nagar Panchayat shall be obtained. The revised plan

showing the deviations shall be submitted and the procedure laid down for the original plan hereto shall apply to all such amended plan.

18. *Occupation of building.*—No person shall occupy or allow any other person to occupy any building or part of a building for any purpose until such building or part has been granted the completion certificate.

19. *Completion certificate.*—The Secretary on receipt of the notice of completion, shall inspect the work and communicate the sanction or refusal or objections thereto, within 30 days from the date of receipt of notice of completion. If nothing is communicated within this period, it shall be deemed to have been approved by the Secretary for occupation.

20. *Notice on completion of plinth level work.*—The owner of the building who has completed the work upto plinth level and before the commencement of the super structure work shall give notice to Secretary in Form-10, failing which the constructions/structure so raised shall be treated as unauthorised.

21. *Unsafe building.*—All unsafe building shall be considered to constitute danger to public safety and hygiene and sanitation and shall be restored by repairs, demolition or dealt with under section 117 of the Act.

22. *Distance from electric lines.*—No verandah, balcony, saiban or the like shall be allowed to be erected or re-erected or any additions or alterations made to a building within the distance quoted below in accordance with the provisions of Indian Electricity Act and the Rules made thereunder and its amendments from time to time, between the building and any overhead electric supply line.

	Vertically Metre	Horizontally Metre
1	2	3
(a) Low and medium voltage lines and service lines	2.40	1.22
	3.66	1.83
(b) High voltage lines upto and including 33000 V.		
(c) Extra high voltage lines beyond 33000 V.	(Plus 0.3 m. for every additional 33000 V or part thereof).	(Plus 0.3 m. for addl. 33000 V. thereof).

### 23. *Minimum Size of plot*

Residential use :—

(i) The construction of building for residential use shall not be permitted on any plot which has an area of less than 90 sqm.

(ii) *Coverage.*—Maximum permissible coverage of residential building in plots of different sizes shall be as under :—

(a) On plots upto 90 sqm.	65%
(b) On plots of 91 to 250 sqm.	60%
(c) On plots of 251 to 500 sqm.	55%
(d) On plots above 500 sqm.	50%

- (iii) *Set Backs.*—In case of detached houses minimum set backs on main road/path shall be 2.00 metres in front and 1.00 metre in another side. In case of semi-detached houses the minimum set back in front shall be 2.00 metres, on side 1.50 metres and on rear 1.00 metre. Additional coverage of 1.00 metre width shall be permissible on side set back of 2.00 metres on first floor. Further roof projection of 45 cm. shall be permissible. Garage shall be permissible subject to the condition of availability of land.
- (iv) *Row houses set back.*—Minimum set backs on main road/path in case of row houses shall be 2.00 metres on front and 1.00 metre on rear.
- (v) *Minimum building width.*—No construction of building shall be permitted on a piece of land left with buildable width less than 5 metres, after maintaining set backs with reference to size of plot.
- (vi) *Set backs for arterial roads.*—Front set back on arterial roads with right of way of 24 metres, and 18 metres, shall be 7.5 mtrs. and 5 mtrs. respectively. Set back on other roads/paths shall be as given in clauses (ii), (iii) of this bye-law.
- (vii) *Set backs in case of public utility services.*—The set backs shall not be applicable to the services like petrol pump, electricity sub-station, road side infrastructures/facilities such as rain shelter and scaping, auto services etc. which are specifically permitted on the acquired width of the road by the Government in case of the Government land or the local authority of the area in the case where land belongs to a local authority.
- (viii) *Height of building.*—Minimum and maximum floor height for residential building shall be 2.70 mtrs. and 3.50 mtrs. respectively. No mezzanine floor shall be permissible. Total height of building in no case shall exceed more than 9.50 metres excluding parking floor of 2.20 metres. No structure shall be allowed on valley side of any road with any part of it rising above the road level.
- (ix) *Projection.*—Roof/slab projections and sun shades shall be allowed upto 45 cms. over set backs on all sides.
- (x) *Storeys.*—Maximum number of storeys, shall be five (Four + Parking) including basement and attic. In addition, parking floor with maximum height of 2.20 metres shall have to be provided in case of plots abutting vehicular access. Columns below basement or ground floor shall not be exposed and shall be covered by retaining wall.
- (xi) *Reconstruction of existing building.*—Regulation regarding reconstruction of house building shall be on the existing building lines, provided road with minimum width of 3.00 metre available. Roof projection sun/shades upto 23 cms. shall be permitted over streets or paths as the case may be.
- (xii) *Hotel.*—Permission for Hotel shall be granted only on a vehicular road with minimum width of 5 mtrs. The minimum plot size for a hotel shall be 1000 square mtrs. with maximum ground coverage as 45%. The minimum set back shall be 7.00 mtrs. in front and 4.00 mtrs. on all other sides. Number of storeys shall be restricted to five with a total height of 9.50 metres excluding parking floor of 2.20 metres. The owner of the Hotel shall have to keep one floor exclusively for parking at road level @ one parking space measuring 20 sqm. for every two beds, height of parking floor should not exceed 2.2 mtrs. This parking floor shall be extra from approved five storeys. This parking shall not be used for habitable storage purpose. 50% of the open space on ground shall be allowed for open parking and the rest should be landscaped.
- (xiii) *Ecology not to be disturbed.*—(a) Change of land use or the development of land shall be made in such a manner that natural profile of the land is least disturbed.



(b) In case cutting of plot is required the owner shall take measure to protect abutting properties by constructing retaining/breast walls. Cutting above 3.00 metres shall not be allowed.

(c) Change in the use of land or the development of land shall be made in the manner so as to achieve maximum air, light and sun where it is needed the most.

(xiv) *Carving of plots.*—(1) Orientation of the plots shall be provided in such a manner as to be in conformity with the integration of existing plots/infrastructure, wind direction, natural flow of surface drainage to allow undisturbed rain water discharge.

(2) Layout of plots shall be governed by easy access having acceptable grades minimum 1:10 and which may not obstruct view or vista.

(3) For group of plots exceeding 10 in number on one particular access, minimum vehicular access shall be of 5 mtrs. width. However, 3 mtrs. minimum wide pedestrian links can be provided to smaller cluster of plots not exceeding 10 in number.

(4) *Plot Areas.*—(i) Minimum plot area for detached house shall be 150 sq. mtrs.;

(ii) plot area for a semi-detached house shall be upto 250 sq. mtrs.

(iii) plot area for row housing shall be upto 150 sq. mtrs.;

Provided that in exceptional circumstances for the benefit of economically weaker sections and where the site conditions permit to do so, the Director, urban Development H. P. may consider 60 sqm. minimum area of plot with two common walls.

(5) One common wall construction shall be allowed in plots upto 250 sqm. and two common wall construction in plots upto 150 sq. mtrs. subject to the conditions that maximum number of such plots does not exceed 8 in row after which a gap of 7 metres shall be left.

(xv) *Green belt.*—All area possessing substantial green cover belt not classified as "forest" whether in private ownership or on Government land shall to be hence forth called green belt;

(a) for the green belt, every effort shall be made to preserve and protect the character of green belt. No sub-division of land in the area shall be allowed for urban functions. Activities promoting afforestation, wild life, picnics and tourism shall be permissible in the green belt. Under tourism, only activities shall be allowed whereby tented, temporary, small and make shift accommodations are proposed. Hill cutting for construction of approach road would not be allowed. Felling trees shall not be allowed for any of the activities mentioned above. Reconstruction existing structure shall be permissible on old lines provided that maximum storeys shall be restricted to five storeys only including basement and attic. Provided further that no development/construction shall be allowed in the area falling within the purview of Forest Conservation Act, 1990.

(b) Hence forth no construction shall be allowed within a radius of 5.00 metres from the green belt boundary and within a radius of 2.00 mtrs. from an existing tree distance shall be measured from the circumstances of the tree.

(xvi) *Earth quake resistant design and construction.*—Nagar Panchayat planning area falls in the seismic zone V. Earth quake resistance design and construction shall be enforced to prevent destruction. Height of structure should be restricted to 5

storeys and seismic beams shall be provided in plinth level, ceiling level, lintel level as safety measures.

(xvii) *Collection of Rain Water From the Roof of Building.*—For rain water harvesting a tank in the proposed building shall be constructed by connecting it with the gutter at the top of the roof. The capacity of the rain water harvesting structure shall be proposed in the plan of 20 litres per sq. mts. rooftop area. For instance:—

Roof top area sq. mts.	Capacity in Ltrs.
100	2,000
150	3,000
200	4,000
500	10,000
1000	20,000

#### 24. Means of Access:—

- 24.1 No building shall be erected so as to deprive any other building of the means of access.
- 24.2. Every person who erects a building shall not at any time erect or cause or permit to erect or re-erect any building which in any way encroaches upon or diminishes the area or a part as means of access.

#### 25. Open Spaces, area and height limitations:—

- 25.1 Every room intended for human habitation shall abut to an interior and exterior open space or on an verandah, open to such interior or exterior open space.
- 25.2. The open spaces to be left around the building including set backs, covered area, total built up area, limitations through F. A. R. shall be as per Interim Development Plan for Ghumarwin Planning Area.

#### 26. Requirement of parts of Buildings:—

- 26.1 *Plinth of Buildings.*—The plinth for any part of a building or out houses shall be located with respect to surrounding ground level so that adequate drainage of the site is assured but not at a height less than 45 cm. on case of slopping site the maximum height of the plinth level should however not be more than 2.00 mtrs. including the plinth from the lower most level of the original ground profile.
- 26.2.1 *Size.*—Habitable room shall have a minimum floor area of 9.5 sqm. shall also have a minimum width of 2.4 metres. In the hostels attached to recognised educational institutions, the minimum size of a habitable room should be 7.5 sqm. mtrs.
- 26.2.2. *Height.*—The maximum height of each floor excluding thickness of slab shall be 2.75 mts. including the beam. The maximum height of the floor shall not be more than 4 metre measured from the surface of the floor to the lowest point of the ceiling (Bottom of slab).
- 26.2.3 At east 1/6 area of the living room shall be rendered for sufficient air and light by providing windows or ventilators.
- 26.2.4 Every room except, kitchen, bath, store, water closet, study room, puja room and dinning room is a habitable room.

26.3 *Kitchen.*—(a) The area of the kitchen shall not be less than 4.50 sqm. with a minimum width of 1.80 metres:—

- (a) A kitchen which is also intended to be used as a dinning room shall have a floor area not less than 7.50 sqm. with minimum width of 2.10 metres.
- (c) The door of the kitchen shall be fly proof and the entire kitchen shall be well lit and well ventilated.
- (d) Unless, separately provided in pantry means for the washing of kitchen utensile shall be provided which shall lead directly or through a sink to grated trapped connection to the waste pipe.
- (e) A kitchen shall have a sink with minimum dimension of 0.60 metre by 0.45 metre or a water proof washing tray of minimum 10cm. depressed into floor.
- (f) An effective flue/exhaust fan with other sufficient arrangements to prevent any smoke flowing to the kitchen.
- (g) The floor of the kitchen shall be of imprevious and fire resistance nature.
- (h) Height of the kitchen shall be equal to the height of habitation room.

26.4 *Bath Rooms and Water Closets:*—

26.4.1 *Size.*—The size of a bath room shall not be less than 1.80 sq. mtrs. with a minimum width of 1.20 metres and minimum length of 1.50 metres, the minimum size of the water closet shall be 1.1 sq. mtrs. with a minimum width of 0.90 metres. and minimum length of 1.20 mtrs. If it is a combined bath room and water closet, the minimum area shall be 2.8 sq. mtrs. with a minimum width of 1.2 mtrs., and minimum length 2.35 sq. mtrs.

26.4.2 *Other Requirements.*—Every bathroom or water closet shall :—

- (a) be so situated that at least one of its walls shall open to external air and shall have a minimum opening in the form of window or ventilation to the extent of 0.37 sqm. or if external wall is not possible it shall about to shaft with minimum dimension of 0.90 mts. where exhaust fan shall be provided for ventilation.
- (b) not be directly over or under any room other than another latrine, washing place, bath or terrace unless it has a water tight floor;
- (c) be provided with an imprevious floor covering slopping towards the drian with a suitable grade and not towards verandah or any other room;
- (d) have water tight seats with non absorbent material; and
- (e) be enclosed by walls or partitions and the surface of every such wall partition shall be finished with a smooth impervious material to a height of not less than 1 metre above the floor of such a room.

26.4.3. No room containing water closets shall be used for any purpose except as a lavatory and no such room shall open directly into any kitchen or cooking space by a door, window or other opening. Every room containing water closet shall have a door completely closing the entrance to it.

26.4.4. When the outer of latrine/privis open, the seat shall not be visible from the street or other public place.

27. *Mezzanine Floor :*—

27.1. *Size.*—Mezzanine floor shall be permitted only between ground floor and first floor in only commercial buildings, such a Banks, Restaurants etc. The Mezzanine are upto 25% of the actual covered area on the ground floor is permissible and shall be counted in the F. A. R.

- 27.2 **Height.**—The height of Mezzanine floor shall not be less than 2.20 metres and not more than 2.75 metres.
- 27.3 **Other Requirements.**—A mezzanine floor may be permitted over a room or a compartment provided that :—
- (a) the mezzanine shall have direct light and ventilation to the extent of 10% of its floor area ;
  - (b) it is constructed so as not to interfere under any circumstances with the ventilation of the space over and under it and does not violate any other bye-law ;
  - (c) such mezzanine floor or any part of its shall not be used as kitchen ; and
  - (d) in no case mazzanine floor shall be closed so as to make it liable to the converted into unventilated compartments.
- 28 **Basement.**—Basement shall be considered as storey. A cavity wall with at least 6" cavity drain shall have to be provided against hill side in basement floor.
29. **Store Room.**—
- 29.1 **Size.**—The area of a store room shall not be less than 3sq. mtrs. In case, the area of the store room is more than 3 sq. mtrs., the light and ventilation requirement to the extent of 10% of the floor area shall have to be provided.
- 29.2 **Height.**—The height of store room shall be equal to the height of habitation room
30. **Private Garage.**—
- 30.1 Garage in the compound or on land adjoining to the building of a house can be permitted provided that the maximum height of the garage shall be 2.20 mtrs. and provided that on the valley side the garage shall be constructed by constructing retaining wall filled with boulders/earth upto road level provided further that the depth of original profile shall not exceed 2 mtrs. from the road level. The garage shall however be permitted after having proper front set back and the applicant shall have to obtain the N. O. C. from the competent authorities.
- 30.2 The provision of one parking floor in the building shall be allowed with maximum height of 2.20 metres from the surface of the floor to the lowest point of the ceiling and also exempted from the F.A.R. provided that the parking floor level abuts on the road which is through for vehicular traffic.
- 30.3 The size of private garage in the open plot shall not be less than 2.50 mts. × 5.0 mtrs. or the size of the vehicle. However, due to topographical constraints this provision can be relaxed, for small cars, by the Nagar Panchayat.
31. **Balcony.**—The building or a unit of the building shall have a balcony on any of the site. The width of the balcony shall, not be more than 1.2 metres and the balcony shall normally face the frontage.
32. **Corridors.**—The minimum width of a corridor in a residential building shall be one metre and in all other buildings 1.70 metres.
33. **Lifts.**—
- 33.1 Where lift is available, all the floors of the building shall be accessible for 24 hours by the lifts. The lifts provided in the buildings shall not be considered as a means of escape in case of emergency/ fire.
- 33.2 Grounding switch, at ground floor level, to enable the fire service board on the lift in case of an emergency shall also be provided.

- 33.3 The lift machine room shall be separate and no other machinery shall be installed therein.
34. *Roof.*—
- 34.1 The roof of a building shall be so constructed or framed with such slope as to permit drainage of the rain water by means of rain water pipes of adequate size.
- 34.2 The maximum angle of the roof from outer edge of the wall to the ridge shall ordinarily be 30 degree.
- 34.3 However often some pinnacles/spires or domes are constructed for adding beauty to the building or for ensuring aesthetic requirements. These may be permitted/regularised over and above 14 mtrs. Maximum height of the building provided such spires/ pinnacles or domes are so constructed that these are non habitable.
35. *Terrace/Gas House/Mumty.*—The terrace at roof level shall be allowed equal to 1/3rd area of the top floor. In this area the owner can also construct glass house/terrace garden subject to the condition that such glass house does not go higher than the ridge of the roof. The owner may also be permitted to install solar system and in case such installation is above the roof and results in exceeding the maximum height of 4 mtrs. of the building the same can be considered for sanction depending upon the merit of the each case. Mumty and stair case to the terrace at roof level shall be allowed. The clear height of mumty shall not exceed 2.20 metres from mid landing and waist slab of the staircase leading to terrace, at any point of the building.
36. *Stairs:*—
- 36.1 The width of the stair case leading to any floor of a residential building shall not be less than one metre and for building other than the residential building the following minimum width shall be provided :—
- (a) Hotels, flats, hostels, group housing and educational buildings like schools, colleges etc. 1.50m.
  - (b) Institutional buildings like hospitals and assembly buildings like auditorium, theatres, cinemas 2.0m.
- 36.2 The minimum width of treads without nosing shall be 25cm. for an internal stair case for residential buildings. In case of other buildings the minimum tread shall be 30cm. The treads shall be constructed and maintained in a manner to prevent slipping. Winders shall be allowed in residential buildings provided they are not at the head of downward flight.
- 36.3 The maximum height of rise shall be 19 cm. in case of residential buildings and 15 cm. in the case of other buildings. They shall be limited to 15 per flight.
- 36.4 The minimum head room in the passage under the landing of stair case shall be 2.20 metres.
- 36.5 Interior stair case shall be constructed as a self contained unit with at least one side adjacent to an external wall and shall be completely enclosed. For building more than 12 metres height, all staircase shall be enclosed.
37. *Spiral Stair Case.*—
- 37.1 In commercial building consisting of three or more storeys, provisions of spiral stair case other than a regular stair case, as fire escape shall be provided.
- 37.2 The spiral fire escape shall not be less than 1.50 metres in dia metre and shall be designed to give adequate head room.
38. *Ramps:*—
- 38.1 Ramps with a slope of not more than 1 in 10 may be substituted for stairways and shall comply with all the applicable requirements of required stair-

ways as to enclosure, capacity and limiting dimensions, larger slope shall be provided for special uses but in no case greater than 1 in 8. For all slopes exceeding 1 in 10 and where the use in such as to involve danger of slipping the ramp shall be surfaced with approved non-slipping material.

38.2 The minimum width of the ramps in hospitals shall be 2.25 metres.

38.3 Handrails shall be provided on both sides of the ramp.

38.4 Ramps shall lead directly to out sides open spaces at ground level or courtyard or safe place.

39. *Re-erection of building on old line :—*

The permission for re-erection on old line for dilapidated, burnt and unsafe building may be considered after receiving the notice from the owner of the property.

39.1 The notice shall accompany with old sanctioned plan or plan of the existing building duly certified by a licensed Architect/Graduate Engineer.

39.2 The notice shall accompany with all the documents as required for new proposed erection of buildings.

39.3 The sanction for re-erection shall be given for the existing covered area and number of floors and with the same height.

39.4 The sanction for re-erection shall be given at the same plinth level.

39.5 In heritage zone the sanction for the re-erection shall be given only after maintaining old existing facade of the building.

40. *Basic Amenities:—*The basic amenities such as water connection, sewerage connection and electric connection shall only be given on the following terms :—

(a) One water connection on commercial basis shall be given for the construction purpose only after proposed plan is sanctioned subject to availability of water.

(b) N. O. C. for one temporary electric connection shall be issued for construction purpose only after proposed plan is sanctioned and construction is carried out as per sanctioned plan.

(c) Water connection on domestic basis shall be given only after the completion plan of the particular floor/portion/whole of building is sanctioned. For the remaining construction the owner will be provided the trade connection.

(d) N.O.C. for permanent electric connection shall be issued only after completion plan of particular floor/whole of building sanctioned.

(e) Sewerage connection shall be given only after the completion plan of the particular portion/floor and the whole of the building is sanctioned.

(f) In the case of old existing building where the completion plans has not been sanctioned, the trade water connection shall be given to the occupier/owner till the completion plan is sanctioned.

41. *General:—*

41.1 No building shall be constructed on a vacant site/plot within any area restricted by the State Government without its prior approval.

41.2 The specifications for the construction of buildings other than residential building shall be as per National Building Code.

41.3 The specifications for the installation of the fire control system may be as per National Building Code.



- 41.4 The walls of every buildings shall be constructed on non-inflammable material and in the case of partition walls between adjoining houses their thickness shall be not less than 23 cm.
- 41.5 Number of storeys and conversion of residential buildings to office use and hotels etc. i. e. commercial use shall be allowed as per Zonal Regulation for the area concerned.
- 41.6 Every building is required to be renovated viz. painted, distempered, white-washed, roof painted at least once in three years by the owner/tenant.
- 41.7 No building shall be constructed adjoining the road (National Highway) and State Highway/Link Road without leaving the set backs as may be prescribed by the State Government from time to time and after obtaining No objection Certificate from the State/PWD as the case may be. Set back of the Nagar Panchayat Road side shall be 1 metre on both sides.
- 41.8 Not more than three dwelling unit per floor will be allowed in residential buildings constructed in plots having an area upto 250 sqm. For plots measuring over 250 sqm. one additional dwelling unit may be allowed and thereafter for every 100 sqm. additional area of the plot additional dwelling unit may be considered.
- 41.9 Where tree is involved no building application shall be considered where the distance between building and outer edge of tree is less than 2 metres.
- 41.10 In case of breach of these bye-Laws, penalty at the rate of double building fee fixed by the Government will be charged, according to the nature of building such as commercial/domestic.
- 41.11 If the breach continuous, an additional penalty as Rs. 50.00 per day will be charged.

#### 42. Site Development.—

- 42.1 The development of land shall be made in such a manner that nature profile of the land is least disturbed and disposal of surplus earth shall be made only on those points as specified by Nagar Panchayat from time to time.
- 42.2 Where, it is essential to develop a plot by cutting, it shall be the responsibility of the plot owner to provide, according to the engineering specifications, retaining an breast walls so that such cutting of natural profile of the land may not harm the adjoining uphill side properties. However, cutting of natural profile shall exceed more than one storey (3 metres in any case having a provision of a step housing).
- 42.3 The development of land shall be made in such manner so as to achieve maximum air, light and sun where it is needed most.

#### 43. Carving of Plots.—

- 43.1 Orientation of the plots shall be provided in such a manner so as to be inconformity with the integration of existing plots/infrastructure, wind direction, natural flow of surface, drainage to allow unobstructed rain water discharge.
- 43.2 Layout of plots shall be governed by ways/access having acceptable grades i. e. minimum 1:15 and which may not obstruct view or vista.
- 43.3 For group of plots exceeding 10 in number on one particular access minimum vehicular access shall be of 5 metres width. However, 3 metres minimum wide pedestrian links can be provided to smaller cluster of plots not exceeding 10 in number.

44. Construction of Temporary Structure.—The owner may construct with prior permission of the Nagar Panchayat single storey temporary structure within the boundaries of the site, for builders office, storage of building material, shelter

for labour etc. during the construction of building thereon or adjoining thereto. This temporary structure shall remain for the period specified in the sanction.

45. Regularisation of Un-authorized construction/Deviation from the Sanctioned Plan/Violation of provisions of IDP/DP/Zonal Plan/Nagar Panchayat bye-laws.

45.1. *Compoundable Item.*—45.1 If there is deviation from the sanctioned plan but setbacks are intact and the construction is within permissible entitlement of coverage as admissible on the date of filing of the plan, the composition fee shall be charged at the following rates :—

- (a) for the deviation up to 10% of the sanctioned area, the composition fee may be charged @ 10% of the cost of construction.
- (b) for the deviation upto 20% of the sanctioned area, the composition fee may be charged @ 10% and 20% cost of construction for the deviation from 10% to 20%.
- (c) for the deviation above 20%, the composition fee may be charged @ 10% cost of construction for the deviation from 01 to 10% and 20% cost of construction for the deviation from 10% to 20% and 100% cost of construction for the deviation above 20%.

45.1.2. If there is deviation from the sanctioned plan and set backs are disturbed, the deviation may be considered for compounding as given below :—

- (a) Where the deviation in set backs at any floor/plinth level is upto 10% of the sanctioned plan, the same may be compounded @ 20% of the cost of construction, subject to the conditions that :—
  - (i) there should not be any hinderance/nuisance to the adjoining building/plot/Path/road/street/drain and neighbourhood etc.
  - (ii) the erection of building should not be on any Government land belonging to or the land vested in a municipality or local Authority ; and
  - (iii) the construction should not be in contravention to the provisions of the Himachal Pradesh Roadside Land Control Act, 1969.
- (b) Any person aggrieved by the decision of the Nagar Panchayat under 45.1.2 (a) of these bye-laws, may within thirty days from the passing of the order by the Nagar Panchayat in the manner prescribed in "Appendix-A" appeal to the Deputy Commissioner.
- (c) Any person aggrieved by the decision of the Deputy Commissioner in appeal under clause (b), may, within thirty days from the order made by the Deputy Commissioner and in the sme manner prescribed in (b) above shall, appeal to the State Government.
- (d) The appellate authority may for reasons to be recorded in writing, allow the appeal to be filed after the expiry of the period of thirty days specified in (b) and (c) and for calculating the aforesaid period of thirty days, the time spent in procuring the certified copies of the orders to be appealed against shall be excluded.

- Note*—1. For the purpose of compounding the average rate of construction of the year of sanction and year of completion/submission of map shall be taken.
2. For purpose of compounding balconies/projections, half the rate of construction shall be taken.
3. The maximum permissible percentage of deviation is inclusive of the area of balconies/projections.

APPENDIX—"A"

(See bye-laws 45.12)

1. The appeal shall be preferred under sub-section 2A to 2B of the section 211 of the Himachal Pradesh municipal Act, 1944 in writing to the following namely :—

- (i) It shall specify the date of order appealed against. A copy of the order thereof shall be attached./
  - (ii) It shall specify a clear statement of the facts and the grounds on which the appeal is preferred.
  - (iii) It shall specify precisely the relief prayed for.
  - (iv) It shall contain the following verification certificate duly signed by the applicant(s) :—
1. .... do hereby declare that the facts and contents stated above are true to the best of my knowledge and belief.
  2. The appeal under sub-section (2) shall be accompanied by a fee of Rs. 5.00 through Treasury Challan.

NAGAR PANCHAYAT GHUMARWIN

FORM—1

(See bye-law 7.1.1.)

FORM FOR FIRST APPLICATION TO ERECT-RE-ERECT OR TO MAKE MATERIAL ALTERATION IN ANY PLACE IN A BUILDING

To

The Secretary,  
Nagar Panchayat,  
Ghumarwin.

Sir,

I hereby give notice that I intend to re-erect/demolition or to make alteration in the building No. .... OR ..... On/in re-erect plot No./Khasra No ..... situated at ..... Ghumarwin in accordance with the building bye-laws of Nagar Panchayat Ghumarwin, I forward herewith, the following plans and specifications duly signed by me and ..... (Name in block letter), the Engineer who have prepared the plans, design etc. and will supervise its erection. The copy of other following documents (as applicable) are attached herewith :—

1. Key plan/Location plan
2. Site plan
3. Building plan along with structural design.
4. Service plan.
5. Ownership title.
6. Jamabandi, tatima.
7. Demarcation certification.
8. General specifications.

9. Attested copy of Receipt for payment of application fee.
10. Two photographs of site from different angles.
11. Other documents, as required.

I request that the construction may be approved and permission may be accorded to me to executive the work.

Signature of owner.....

Name of owner..... (in block letter)

Address of owner.....

Dated .....

### NAGAR PANCHAYAT GHUMARWIN

#### FORM—2

(See bye-law 7.1.1)

#### CERTIFICATE:—

It is to certify that the structural design of proposed building of Shri.....S/o Shri..... Khasra No. ....at ..... Ghumarwin has been prepared by me. The various parameters taken for this structural design, are as follows :—

1. Soil bearing capacity.
2. Structural design for No. of floors.
3. Seismic consideration.
4. Factor of safety.

### NAGAR PANCHAYAT GHUMARWIN

#### FORM—3

(See bye-law 7.6)

#### FORM FOR SPECIFICATIONS OF PROPOSED BUILDINGS

(a) The purpose (Residence, Office, Godown, Restaurant) :

Hotel, Dharamshala, School, Hostel, Cinema, Shop:—

Factory, Stable for which it is intended to be used.

(b) Details of coverage on respective floors are given below :—

	Existing	Proposed	Total
1. Basement Floor			
2. Ground Floor			
3. Mezzanine Floor			
4. First Floor			
5. Second Floor			
6. Third Floor.			

- (c) Approximate number of inhabitants proposed to be accommodated.  
 (d) The number of latrines, urinals, Kitchens, baths to be provided.  
 (e) The source of water to be used in the construction.  
 (f) Distance from public sewer.  
 (g) The material to be used in construction Walls/Columns/foundations/Roof Floors.

*Signature of Registered Engineer*

.....

*Name of Registered Engineer*

.....  
 (in block letters)

*Registration No. of Registered Engineer*

.....

*Address of Registered Engineer*

.....

Dated, .....

**NAGAR PANCHAYAT GHUMARWIN**

**FORM—4**

(See bye-law 7.9)

To

The Secretary,  
 Nagar Panchayat,  
 Ghumarwin.

Sir,

I hereby certify that the erection/te erection/demolition or material alteration in/of building.....on/in plot No. /Khasra No. ....situated at .....shall be carried out under my supervision and I certify all the material (typed and grade) and the workmanship of the work shall be generally in accordance

with the general specifications submitted along with and then the work shall be carried out according to the sanctioned plans.

Signature of Registered Engineer

Name of Registered Engineer

(in block letters)

Registration No. of Registered Engineer

Address of Registered Engineer

Dated:

### NAGAR PANCHAYAT GHUMARWIN

FORM-5

(See bye-law 7.9)

To

The Secretary,  
Nagar Panchayat,  
Ghumarwin.

Sir,

I hereby certify that the drainage/sanitary and water supply works shall be executed by me or under my strict supervision for the work of erection/re-erection demolition of material alteration of the proposals for which building permit application in respect of building ..... on/in plot No. Khasra No. .... Situated at ..... and I certify that all the material workmanship of the work shall be in accordance with the standard laid down by and the provision of the building bye-laws and that the work shall be carried out in accordance with the sanctioned plan.

Signature of Registered Engineer

Name of Registered Engineer

(in block letters)

Registration No. of Registered Engineer  
/Plumber.

Address of Registered Engineer

Dated



**NAGAR PANCHAYAT GHUMARWIN**

**FORM—6**

(See bye-law 15.2)

To  
The Secretary,  
Nagar Panchayat,  
Ghumarwin.

Sir,

I hereby certify that the erection, re-erection/demolition or material alteration in/of building No. .... on/in plat No. /Khasra. .... situated at ..... will be commenced on ..... as per your permission *vide* office communication No. .... dated ..... in accordance with the plans sanctioned:

Signature of owner.....

Name of owner.....  
(in block-letters)

Address of owner.....

Dated: .....

**NAGAR PANCHAYAT GHUMARWIN**

**FORM—7**

(See bye-law 16)

(to be submitted along with fees of Rs. 50/- for notice of completion and other relevant documents)

To  
The Secretary,  
Nagar Panchayat,  
Ghumarwin.

Sir,

I/we hereby given notice that/I/we have completed the erection re-erection of the building execution of the work in plot No./Khasra No. .... situated at ..... in pursuance of sanction granted by the Nagar Panchayat *vide* diary No. .... dated. ....

2. Permission to occupy or use the building may be granted.

Yours faithfully

Signature of owner.....

Name of owner.....  
(in block letters)

Address of owner.....

Dated: .....

**NAGAR PANCHAYAT GHUMARWIN**

**FORM—8**

(See bye-law 16)

(to be submitted along with fees of Rs. 50/- for notice of completion and other relevant documents)

To

The Secretary,  
Nagar Panchayat,  
Ghumarwin.

Sir,

I hereby certify that the erection/re-erection or material alteration in/at building No.....  
.....on/in plot No./Khasra No. ....situated at has been supervised  
by me and has been completed on .....according to the plans sanc-  
tioned, vide office communication No. ....dated .....

The work has been completed to my best satisfaction, the workmanship and all the materials  
(type and grade) have been used strictly in accordance with general and detailed specifications.  
No provisions of the Building Bye-Laws, no requisition made, conditions prescribed or  
orders issued thereunder have been transgressed in the course of the work. The building is  
structurally fit for use for which it has been erected/re-erected or altered/constructed and  
enlarged.

Signature of Registered Engineer

Name of Registered Engineer

(in block letters)

Registration No. of Registered Engineer/Plumber.

Address of Registered Engineer

Dated: .....

NAGAR PANCHAYAT GHUMARWIN

FORM-9

(See bye-law 16)

(FOR THE CERTIFICATE OF REGISTERED ENGINEER)

(To be submitted along with notice of completion)

The Secretary,

Nagar Panchayat,

Ghumarwin.

I/we undersigned hereby give you notice that the drainage work in the premises of Plot No. /Khasra No. .... Located at ..... will be completed entirely and ready for your final inspection on the ..... (date) at ..... (time) and request inspection and approval of the same: The work was sanctioned by the Nagar Panchayat Ghumarwin vide letter No. .... dated .....

Signature of owner.....

Name of.....

Address.....

Certify that the sanitary/water supply work has been executed under my supervision and as per building bye-laws/sanctioned plan.

Signature of Plumber/Engineer.

Name of Plumber/Engineer

Registered.....

Address.....

(Nagar Panchayat Ghumarwin) Building section file No. .... Date  
..... Certified that the above works have been  
inspected and approved.

Secretary,  
Nagar Panchayat,  
Ghumarwin.

## NAGAR PANCHAYAT GHUMARWIN

FORM—10

(See bye-law 20)

To

The Secretary,  
Nagar Panchayat,  
Ghumarwin.

Sir,

I, the owner of plot No./Khasra No.....situated at  
..... in relation to which the building plan  
was sanctioned vide your office order No. ....dated.....  
do hereby intimate that I have completed the work up to plinth level for your information and  
record.

Signature of the applicant Owner

Name and Address.....

.....